

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

LORENE LAMB, Derivatively on Behalf of
Nominal Defendant BIG LOTS, INC.,

Plaintiff,

v.

JEFFREY PAUL BERGER, et al,

Defendants,

and

BIG LOTS, INC.,

Nominal Defendant.

Case No.: 2:12-cv-00445

JUDGE WATSON
MAGISTRATE JUDGE KING

and,

LOUISIANA MUNICIPAL POLICE
EMPLOYEES' RETIREMENT SYSTEM,
Derivatively on Behalf of Nominal Defendant
BIG LOTS, INC.,

Plaintiff,

v.

JEFFREY PAUL BERGER, et al,

Defendants,

and

BIG LOTS, INC.,

Nominal Defendant.

Case No. 2:12-cv-00447-MHW-NMK

JUDGE WATSON
MAGISTRATE JUDGE KING

To be consolidated with:

CITY OF ATLANTA FIREFIGHTERS’
PENSION FUND, Derivatively on Behalf of
Nominal Defendant BIG LOTS, INC.,

Plaintiff,

v.

JEFFREY PAUL BERGER, et al.,

Defendants,

and

BIG LOTS, INC.,

Nominal Defendant.

Case No.: 2:12-cv-00590

JUDGE MARBLEY
MAGISTRATE JUDGE KING

NOTICE OF CONSOLIDATION

Plaintiffs Lorene Lamb (“Lamb”), Louisiana Municipal Police Employees’ Retirement System (“LAMPERS”) and City of Atlanta Firefighters’ Pension Fund (“Atlanta Firefighters”) (collectively, “Plaintiffs”), individual defendants Jeffrey Paul Berger, Robert Craig Claxton, Joe R. Cooper, Steven S. Fishman, Charles W. Haubiel II, Timothy A. Johnson, David T. Kollat, Brenda J. Lauderback, Phillip E. Mallot, John Charles Martin, Norman J. Rankin, Paul Alan Schroeder, Robert Samuel Segal, Steven Ray Smart, Russell Solt, and Dennis B. Tishkoff (collectively, the “Individual Defendants”) and nominal defendant Big Lots, Inc. (“Nominal Defendant”, “Big Lots” or the “Company,” and together with Plaintiffs and the Individual Defendants, the “Parties”), pursuant to the STIPULATION AND ORDER GOVERNING (i) SERVICE OF PROCESS, (ii) CONSOLIDATION OF RELATED ACTIONS, (iii) SETTING A SCHEDULE, AND (iii) APPOINTMENT OF LEAD PLAINTIFFS AND LEAD AND LIAISON COUNSEL previously filed in the Lamb and LAMPER’s matters give notice that the in conformance with paragraph 5 of said Stipulation and Order, Case No. 2:12-cv-00590 is

hereby consolidated with Case No. 2:12-cv-00445 and Case No. 2:12-cv-00447 (the “Consolidated Action”), as such action involves alleged questions of law or fact similar to those contained in the Consolidated Action.

DATED: July 9, 2012

Respectfully submitted,

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/s/ Maribeth Deavers
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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and accurate copy of this Notice was served upon Michael A. Paskin and Timothy G. Cameron, Cravath, Swaine & Moore, LLP, Worldwide Plaza, 825 Eighth Avenue, New York, New York 10019 and William D. Kloss, Jr., Vorys, Sater, Seymour and Pease, LLP, 52 East Gay Street, P.O. Box 1008, Columbus, Ohio 43216-1008, attorneys for Defendants, via ordinary U.S. Mail on the 9th day of July, 2012.

/s/Maribeth Deavers
Maribeth Deavers (0055903)